

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 10 through 17 and 20 through 34 are pending, with Claims 10, 16, 17, 22, 23, 24, 25, and 26 being independent. Claims 10 through 16, 23, and 24 were withdrawn from consideration. Claims 25, 26, and 34 have been amended.

Claim 34 was objected to because it recites a “product” but depends upon method Claim 29, and the Official Action suggested that it be amended to depend from Claim 33. Applicants have adopted this kind suggestion.

Claims 25, 26, and 31 through 33 were rejected under 35 U.S.C. § 101 as being non-statutory, and the Official Action suggests that the claims be amended to recite a computer program product --stored on a computer readable medium, when executed by a computer--. All rejections are respectfully traversed, and are submitted to have been obviated by the amendment of those claims in a manner earnestly believed to avoid the grounds of objection. In particular, Claims 25 and 26 have been amended in view of the kind suggestion in the Official Action, and each recites, inter alia, a --medium-- and --making an apparatus execute--, which is earnestly believed to be per se statutory. Favorable consideration is earnestly solicited.

Claims 17, 20, 22, and 25 through 34 were rejected under 35 U.S.C. § 102(e) over newly-cited U.S. Patent No. 5,874,988 (Gu). Claim 21 was rejected under 35 U.S.C. § 103 over Gu in view of U.S. Patent No. 5,729,363 (Aihara, et al.). All rejections are respectfully traversed and are submitted to have been obviated by the filing herewith of sworn translations of Japanese Patent Application Nos. 7-196677 filed August 1, 1995, 7-205886 filed August 11,

1995, and 7-214552 filed August 23, 1995, from which applications the subject application claims priority under 35 U.S.C. § 119, and which applications pre-date the June 8, 1996 U.S. filing date of Gu, thereby precluding application of Gu under 35 U.S.C. § 102(e). MPEP 201.15. (It will be appreciated that the three sworn translations share one declaration regarding accuracy of the translation.)

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



---

Daniel S. Glueck  
Attorney for Applicants  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200  
DSG/ljp/lw

DC\_MAIN 235176v1